

32692

Customer Number


Patent
Attorney Docket No.: 57329US005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: SCHLUTER, DIETRICH M.
Application No.: 10/500,617 Confirmation No.: 4341
Filed: January 17, 2003 Group Art Unit 2833
Title: TERMINAL BLOCK AND WIRE DISTRIBUTOR INCLUDING AT LEAST ONE
TERMINAL BLOCK

REPLY TO EXAMINER'S ANSWER

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]	
I hereby certify that this correspondence is being:	
<input checked="" type="checkbox"/> transmitted to United States Patent and Trademark Office on the date shown below via the Office electronic filing system.	
July 11, 2007	
Date	Signed by: Kathleen M. Sandvig

Dear Commissioner:

Applicants file this Reply to the Examiner's Answer dated May 16, 2007 in the above-identified application. Any fees necessary for entry of this paper will be paid at the time of EFS-Web submission.

REMARKS

The Examiner responds to Applicants' arguments only by refuting the application of the claim term "adjoining arrays." The Examiner correctly notes that Applicants argue, in part, that the only reference cited against the rejected claims (German Patent DE 2048144 to Steiner)¹ fails to disclose a telecommunications terminal block having at least two wire guide arrays that adjoin both each other and at least one row of contacts and are associated with the same row of contacts (*i.e.*, "are assigned to said row of contacts").

The Examiner's response to Applicants' arguments rests, *in toto*, with the following:

"Appellants argue (Brief, p.5) that Steiner disclose two arrays which do not adjoin each other and at least one row of contacts. However, a term 'adjoining arrays' was interpreted by the examiner as next to each other, neighboring, in a spirit of the specification. ***According to the specification (Fig. 1, 2), the arrays (34, 34, each comprising two wire guides) do not touch each other but are separated by row of contacts (32).*** It would be impossible for 'the arrays (34) [to] adjoin each other and at least one row of contacts (32)' (claim 1, lines 10-11) and at the same time directly contact each other, since the row of contacts (32) being disposed between the neighboring arrays (34, 34). Hence, as it was shown in the rejection, the prior art German Patent DE 2048144 discloses that, at least two of the arrays (5,5) adjoin each other and at least one row of contacts (33) and are assigned to said row of contacts." (Examiner's Answer at pages 3-4) (emphasis added).

The Examiner's reading of the specification is incorrect in several respects. First, and most importantly, the Examiner incorrectly reads the specification when he points to two arrays that are separated by a row of contacts and concludes that Figures 1 and 2 fail to show an embodiment of the invention having two arrays that adjoin both each other and a row of contacts.

The embodiments of the invention illustrated in Figures 1 and 2 do, in fact, show the claimed feature of two arrays that adjoin both each other and a row of contacts where the adjoining arrays are associated with the row of contacts they adjoin. In concluding that the figures fail to show this feature, the Examiner misidentifies the arrays. The embodiment of the invention shown in both Figures 1 and 2 (reproduced immediately below) include ***three*** wire guide arrays. Each array is labeled as element 34 in the figures, but is identified separately as 34.1, 34.2 and 34.4, respectively, in the description accompanying the figures in the specification.

¹ Applicants summarized the relevant disclosure of the Steiner reference in their Brief on Appeal at page 5.

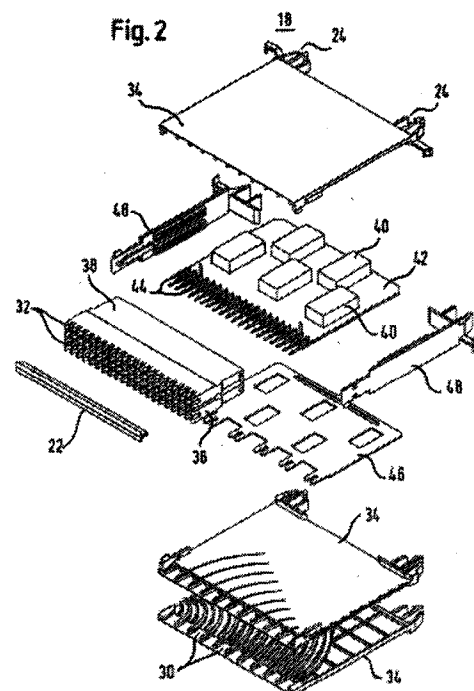
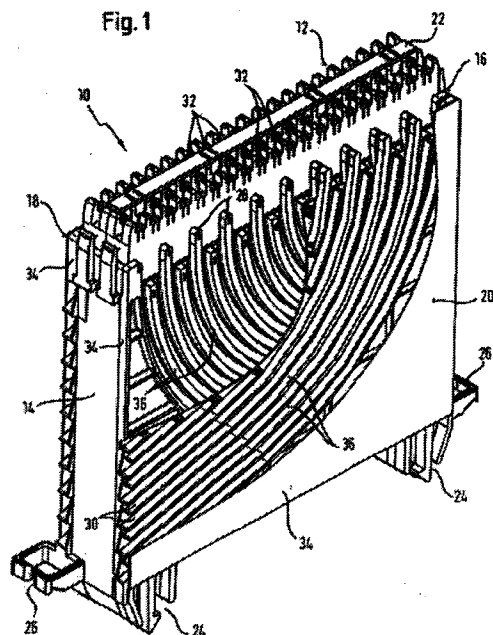


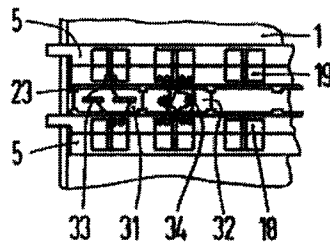
Figure 2 represents an exploded view of the embodiment of the terminal block illustrated in Figure 1. *See, e.g.*, Specification at page 20. The embodiment includes three wire guide "arrays" (34) (also sometimes referred to in the specification as "wire routing modules"). *See, e.g.*, Specification at pages 21-22. The three arrays, or "modules," are distinguished by their orientation about the row of contacts. A first, upper-most array (34.1) resides on the upper, or top, surface (18) of the terminal block (10). *See, e.g.*, Specification at page 21. The bottom, or lower side (20) of the terminal block (10) includes two wire guide arrays (34.2 and 34.3). Each of these arrays (or modules) include at least two wire guides (30) (also sometimes referred to as "wire routing troughs"). *Id.*

In his rejection, the Examiner incorrectly points to the upper-most or top array (34.1), which is separated from the other two arrays (34.2 and 34.3) by a row of contacts, but ignores the added array (34.3) along the lower side of the block. In fact, a key feature of the rejected claims resides in the inclusion of a second array (34.3) along the lower side (20) of the terminal block (10) to provide a terminal block with at least three total arrays. The specification extolls the benefits of including this additional array at length, including at pages 21-22.

Thus, contrary to the Examiner's rejection, Figures 1 and 2 illustrate the features of rejected claim 1. In relevant summary, there are at least two wire guide arrays (34.2 and 34.3): (a) that each include at least two wire guides (30); (b) that adjoin both each other and a row of contacts (32); and (c) that are associated with the same row of contacts (32). In missidentifying the arrays, the Examiner misses the application of this claimed feature in the figures of the application.

This illustrated feature of the rejected claims is wholly absent from the teachings of the Steiner reference. Like those of the prior art, the Steiner reference describes a telecommunications terminal block that includes only two non-adjoining wire guide arrays that are "sandwiched" on opposite sides of a row of contacts. In such an arrangement, the row of contacts separates the two wire guides. Steiner's Figure 3 illustrates this construction where a row of contacts associated with components (31) and (32) separates wire guides (18) and (19):

Fig. 3



Steiner unambiguously associates wire guides (18) and (19) with components (31) and (32), consistent with clear depiction of the wires in the drawing. (See English Translation at page 7). In this type of construction, the wire guides associated with a row of contacts are not configured in adjoining arrays. Rather, instead of adjoining one another, the guides are separated by components (31) and (32).

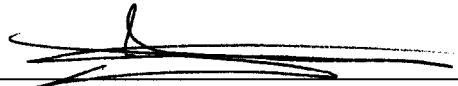
Because Steiner fails to disclose the feature of rejected independent claim 1 of a terminal block having at least two adjoining wire guide arrays that are associated with the same row of contacts, it fails to anticipate the claimed subject matter. Because each of claims 2-4 and 7-10 depend directly or indirectly on independent claim 1, they too are necessarily novel over Steiner. Applicants therefore respectfully request the Board's reversal of the Examiner's rejection.

CONCLUSION

For the reasons set forth in Applicants' Appeal Brief and this Reply, Appellants submit that the Examiner has erred in rejecting this application. Appellants therefore respectfully request review of this appeal, a decision reversing the Examiner on all counts and an acknowledgement of the allowability of the application.

Respectfully submitted,

July 11, 2007
Date

By: 
John A. Burtis, Reg. No.: 39,924
Telephone No.: 512-984-4672
Attorney for Applicants

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833